

IN RE: PETITION FOR VARIANCE
S/S Wiseburg Road, 1,200' W of the c/l
Greystone Road
(1121 Wiseburg Road)
7th Election District
6th Councilmanic District

Fred Permenter, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-507-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Fred and Raean Permenter. The Petitioners seek relief from Section 427.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a sound barrier (fence/wall), 96 inches in height, in lieu of the maximum allowed 42 inches for a fence. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the request were Fred and Raean Permenter, property owners, and Scott Thielemann, adjoining property owner to the rear of the subject site. There were no Protestants or other interested persons present.

An examination of the site plan discloses that the subject property consists of a gross area of .49 acres, more or less, zoned R.C.5 and is improved with a single family dwelling, a detached garage, and a pond with a deck adjacent thereto. The property is located in a rural area, adjacent to Wiseburg Road, north of Greystone Road in White Hall. Testimony indicated that despite the property's rural locale, recent development in the area has generated significantly more traffic on Wiseburg Road. Partly in response to this development, the Petitioners have constructed a 96-inch high wooden fence/sound barrier to buffer their property from traffic on Wiseburg Road. A series of photographs were submitted at the hearing which depict the fence and its location.

ORDER RECEIVED FOR FILING

Date 8/11/99

By [Signature]

It is to be particularly noted that the property slopes away at a severe grade from the bed of Wiseburg Road. Due to this topography, the fence was constructed at a height of 96 inches in order to shield the property from traffic on the road. That is, if the fence were constructed at a lower height, it would serve little practical purpose due to the slope. The Petitioners also indicated that the fence was constructed at a location 16 to 18 feet from the edge of the paving for the roadway. Testimony indicated that this location was chosen to insure adequate sight distance for traffic along Wiseburg Road and vehicles exiting the driveways of the subject property and neighboring sites onto Wiseburg Road.

At the hearing, the Petitioners offered numerous photos of the fence and subject property. They also offered a Petition signed by several residents in the neighborhood who support their request. Additionally, the Petitioners submitted a signed, detailed letter which fully explains the need for the fence and the requested variance.

As noted above, no one appeared in opposition to the request. In fact, Mr. Thielemann, a neighbor who resides to the rear of the subject property, appeared on behalf of the Petitioners. In addition, there were no adverse Zoning Plans Advisory Committee (ZAC) comments submitted by any Baltimore County reviewing agency.

Based upon the testimony and evidence presented, I easily find that the requested variance should be granted. The uniqueness of the property is found in its topography. Specifically, the significant grade of the lot as it exists near Wiseburg Road. Strict application of the height requirements would result in a practical difficulty in that the fence would serve no practical purpose if restricted to 42 inches. Lastly, it is clear that the fence will not cause detrimental impact to the surrounding locale. The location of the fence an appropriate distance from the road limits any impact. Additionally, the Petitioners propose the installation of some low level shrubs and landscaping to further buffer the general appearance of the fence. For all of these reasons, I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. and that variance relief should be granted.

ORDER RECEIVED FOR FILING


Date

By

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of August, 1999 that the Petition for Variance seeking relief from Section 427.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a sound barrier (fence/wall), 96 inches in height, in lieu of the maximum allowed 42 inches for a fence, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall provide landscaping along the fence to the extent previously described so as to provide a buffer for same. Said landscaping shall not interfere with the sight distance of vehicles traveling along Wiseburg Road.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 8/11/99
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 11, 1999

Mr. & Mrs. Fred Permenter
1121 Wiseburg Road
White Hall, Maryland 21161

RE: PETITION FOR VARIANCE
S/S Wiseburg Road, 1,200' W of the c/l Greystone Road
(1121 Wiseburg Road)
7th Election District - 6th Councilmanic District
Fred Permenter, et ux - Petitioners
Case No. 99-507-A

Dear Mr. & Mrs. Permenter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Petition for ~~Amendment~~ Variance to the Zoning Commissioner of Baltimore County

for the property located at 1121 Wiseburg Road
which presently zoned RC-4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Sections(s)

1. ~~427B~~ to permit a sound barrier 96 inches in height in lieu of the permitted 42 inches for a fence.

Of the Zoning "Regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons Indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney for Petitioner:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Legal Owner(s)

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

1121 Wiseburg Road

(410) 357-4144

Day & Evening Telephone No.

White Hall,

Maryland

21161

City

State

Zip Code

Representative to be Contacted:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning commissioner of Baltimore County, this _____ of _____, 1999 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 99-507A

Review by JLM

Date 6-16-99

Estimated Posting Date N/A

ORDER RECEIVED FOR FILING
8/1/99
RECEIVED 9/15/98

ZONING DESCRIPTION

ZONING DESCRIPTION FOR:

1121 Wiseburg Road, White Hall, MD 21161

S.34 W 153.6 ft. S.38 47' E 142.25 ft. N.30 23' E. 220.15 ft.,
viz: N.60 46' W 50 ft. N.68 05' W 40 ft. N.75 20' W 34.1 ft. to
the Place of Beginning.

Beginning at a point on the **South** side of **Wiseburg Road** which is **thirty feet (30')** wide at the distance of **approximately 1,200 feet West** of the centerline of the nearest improved intersecting street, **Greystone Road** which is **thirty feet (30') wide** as recorded in Deed **Liber #6760, Folio #595**, containing **49/100** of an acre. Also known as 1121 Wiseburg Road and located in the 7th Election District, 6th Councilmanic District.

507

99.507-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANC
MISCELLANEOUS RECEIPT

No. 507
069088

DATE 6-16-99 ACCOUNT 601-6150

AMOUNT \$ 50.00

RECEIVED FROM: F. P. P. 1121 W. 303426

FOR: (010) VNR,

99.507-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

507

CASHIER'S VALIDATION

PAID RECEIPT

PROCES ACTUAL TIME

6/16/1999 6/16/1999 09:20:47

REG 4302 CASHIER LSN1 LXS DRGMR

Dept 5 520 ZONING VERIFICATION

Receipt # 095575

CR N1. 069088

Receipt 101 50.00

50.00 CR .00 CR

Baltimore County, Maryland

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-507-A
1121 Wiseburg Road
S/S Wiseburg Road, 1
W of Greystone Road
7th Election District
6th Councilmanic District
Legal Owner(s):
Raean Permenter
Fred Permenter
Variance: to permit
barrier 96 inches
height of the permit
for a fence.
Hearing: Wednesday,
4, 1999 at 11:
Room 407,
Bldg., 401 Bldg.

LAWRENCE E.
Zoning Comm.
Baltimore County
NOTES:
Handicapped
Special
Please Contact
Commissioner
(410) 887-43
(2) For info
ing the File
Contact the
fice at (410) 887-43

JT 7/600 July 20 C326875

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/22/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/20/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No 99-507-A

Petitioner/Developer PERMENTER,
ETAL

Date of Hearing/Closing 8/4/99

County Office Building, Room 111
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Fowler, MD 21030

Attention: Ms. Gwendolyn Stevens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at # 1121 WISEBURG RD.

The sign(s) were posted on _____

7/20/99

(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 7/25/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

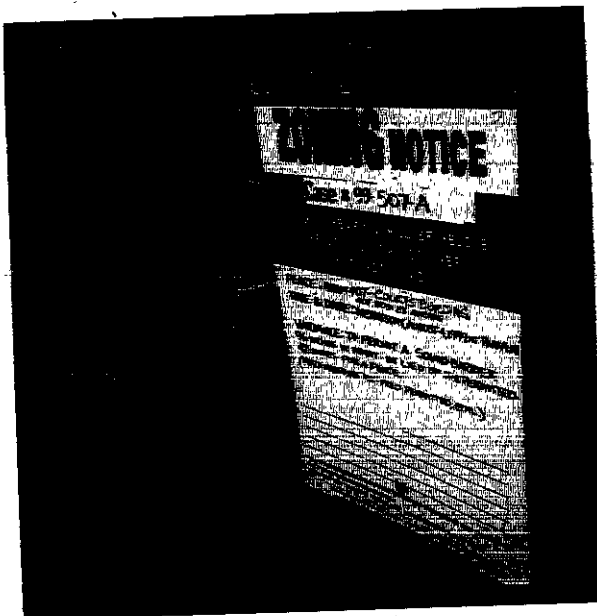
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



FRED PERMITTER: 99-507-A

#1121 WISEBURG RD.

357-4144

P. 7/20/99

ADG-4/999011R



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 8, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-507-A
1121 Wiseburg Road
S/S Wiseburg Road, 1200' W of Greystone Road
7th Election District – 6th Councilmanic District
Legal Owner: Raeen Permenter & Fred Permenter

Variance to permit a sound barrier 96 inches in height in lieu of the permitted 42 inches for a fence.

HEARING: Wednesday, August 4, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a date "5/1" written below it.

Arnold Jablon
Director

c: Raeen & Fred Permenter

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 20, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 20, 1999 Issue – Jeffersonian

Please forward billing to:

Fred C. Permenter 410-357-4144
1121 Wiseburg Road
White Hall, MD 21161

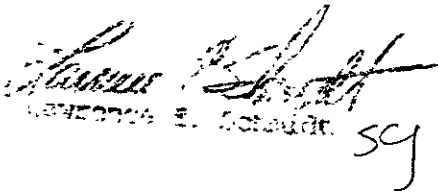
NOTICE OF ZONING HEARING

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1121 Wiseburg Road
S/S Wiseburg Road, 1200' W of Greystone Road
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LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to the property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For Newspaper Advertising:

Item No.: 507

Petitioner: Fred C. & Raeann E. Permenter

Location: 1121 Wiseburg Road, White Hall, Maryland 21161

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Fred C. Permenter

ADDRESS: 1121 Wiseburg Road, White Hall, Maryland 21161

PHONE: (410) 357-4144

99.507-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 30, 1999

Mr. & Mrs. Fred Permenter
1121 Wiseburg Road
White Hall, MD 21161

Dear Mr. & Mrs. Permenter:

RE: Case Number 99-507-A, 1121 Wiseburg Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 16, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on the case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

42
5/4

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 12, 1999

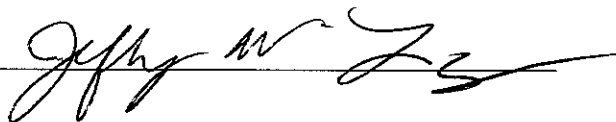
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 507, 510, 511, 512, 513, 515, 518, 521, 522, and 523

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

July 11, 1999

Arnold Sablon, Director
Joint Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

Re: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 1, 1999

Item No.: SEE BELOW Pending Agenda:

Amendment:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and are to be corrected or incorporated into the final plans for the property.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM NUMBERS:

501, 502, 504, 505, 507, 508, 510, 511, 512, 513, 514,
515, 516, 517, 518, 520, 521, 524,

REVIEWED: LT. ROBERT C. BRUEPWALL

Fire Marshal Office, PHONE 307-4081, MD 11 2F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: July 13, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for July 12, 1999
Item Nos. 501, 502, 503, 504, 505,
(507), 508, 509, 510, 511, 512, 513,
514, 516, 518, 519, 520, 521, 522,
523, 524,

and

Case Number 99-477-SPHA
Windsor Commons

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:jrb

cc: File

ZAC07129.NOC

RE: PETITION FOR VARIANCE
1121 Wiseburg Road, S/S Wiseburg Rd,
1200' W of Greystone Rd
7th Election District, 6th Councilmanic


Legal Owner: Fred & Raeann Permenter
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-507-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 1999 a copy of the foregoing Entry of Appearance was mailed to Fred & Raeann Permenter, 1121 Wiseburg Road, White Hall, MD 21161, Petitioners.


PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMO

DATE: July 6, 1999

TO: Sophie Jennings

FROM: Lisa Henson

RE: Files for zoning

I am in the process of trying to locate files 98-3623 (1121 Wiseburg Rd) and 97-
~~8222 (801 Woodrow Ave)~~

/lmh

99-507-A

507

**Statement of Raean E. Permenter
to the Department of Permits & Development Management, Zoning Review
Violation Notice #105562 CC 107.1 (BOCA); 7-36 BCC
Filed June 16, 1999**

Fifteen years ago, my husband and I moved to the country — on its terms. We bought a house with roots that go back before the beginning of the century. Our home was in dire need of repair and with our own labor we have worked diligently to maintain this unique structure. We bought no children to Baltimore County to fill the schools. We recycle religiously, are extremely cautious of our environmental impact, conserve our draw of well-water, and voluntarily installed a new septic system to maximize the safety of our area's groundwater. We pay our taxes and utilize little of the County government's resources and services.

We are not wealthy people. My husband, Fred, is a Marine Vietnam combat veteran, awarded the purple heart. He has been a Substation Mechanic for Baltimore Gas Electric for thirty years. We worked hard to earn the few things we wanted: an older, existing home we could restore, a peaceful landscape. We had found that in White Hall and enjoyed our lives there.

Over the last few years, as Maryland affluence grew, many people decided they wanted this country lifestyle. They wanted a rural estate. They wanted new, 3,000 s.f. homes on acres of former farm field, and the developers have obliged. They built dozens of private road, cull da sac communities around us. Baltimore County then built what has become the popular Greystone public golf course, which it built in the center of a rural community. We are left to pay the penalty of these desires. The two, three or more car families drive to from their estates using the few rural access roads such as ours. Our street, which was a sparsely traveled local road, has become a major access vein. Heavy trucks which service development further and further into the back country use our road as a shortcut.

The burden of my husband and I is that we live on this now congested road. Three other major veins: Greystone Road, White Hall Road, and Hunters Mill all empty into our street — the shortcut to I-83. Our burden is that we live on a steep hill. A hill where cars and trucks gear down to climb the hill, and trucks use Jake brakes to slow their descent. A steep embankment along the roadside opposite our home amplifies and channels this traffic noise at us. Our burden is that the rural quiet we felt we had earned — listening to birds, enjoying the subtle splash from the waterfall of our pond — is now marred by traffic passage that no longer has even a ten second interval. Consistently, all day, late into the night, there is the noise of this traffic.

Millions in tax dollars has been spent on the erection of sound barriers for the sake of those homes next to the Baltimore beltway, which has existed since 1954. As the traffic and noise increased on our road my husband and I examined our options for possible sound abatement: we could do nothing, but the last three years had become intolerable. Planting trees was a poor option. Trees would return our privacy lost to those who gaze out their car windows, but would provide no abatement of noise. A major problem was the curvature of the street, with us on the inside of the curve. Safety of an unobscured line-of-sight for us and our neighbors to exit our driveways was of utmost concern. Nothing could be put on the road: sight lines would be totally compromised.

99-507-A

507

**Statement of Raean E. Permenter
to the Department of Permits & Development Management, Zoning Review
Violation Notice #105562 CC 107.1 (BOCA); 7-36 BCC
Filed June 16, 1999
Page Two**

Trees would also present major safety and maintenance problems as they grew into our line-of-sight. To avoid overhead lines and trimming maintenance, trees would have to be planted a full one-third or better inside our recreational area, devaluing our property. Planted there, trees would also have been over our well. Shrubs off the road inside our property would not be tall enough due to the slope of the hill and the steep four foot immediate drop off the road into our yard. Planting closer to the road and using convex mirrors for us and our neighbors (if they'd approved) wasn't a viable option. I was very uncomfortable with depending on a mirror. I could miss traffic in a distorted mirror, and oncoming traffic wouldn't see me at all. We felt we were left with only one safe option.

We have no "backyard" to speak of. Our recreational area is our sideyard. Because of the slope of our sideyard: where I garden, play with my dog, and sit by my pond places tires on the road at ear level. I could not ignore the ceaseless traffic whose intrusion forced me into the house on countless summer days. This problem had become a severe detriment to the peaceful enjoyment of our property. We did the best we could to alleviate this problem safely — at our expense, on our property. I begged my husband to build this sound barrier and it does help, a little.

Before we built this sound barrier, Fred and I talked with all our close surrounding neighbors and gained their permission. We went to great pains and additional expense to ensure that line-of-sight for us, our neighbors, and the general traffic on the road would not be obscured. We intended to stain it forest green, plant shrubs in the dip and clinging vines along its length. In two years you wouldn't even see it. From the road, the barrier will appear to be but four feet tall.

This barrier was a considerable cost to us. Altering it would be substantially more money. There are so many extenuating circumstances. We beg your understanding and help us to keep our sound abating acoustical barrier. We only want a chance to reclaim a portion of the peace we used to enjoy.

99-507-A

507

July 27, 1998

We, the undersigned neighbors of Fred and Raeen Permenter who reside at 1121 Wiseburg Road, White Hall, Maryland 21161, have no objection to the sound barrier on their property along Wiseburg Road. We find it not intrusive by any means and understand that it provides the Permenters a sound barrier and means of regaining a degree of the privacy and peaceful enjoyment of their property that they, and we, have lost due to overdevelopment in this area and increased noise level due to traffic on Wiseburg Road.

⁴⁴ Stephen Lee Pin 1107 Wiseburg RD. White Hall, MD 21161

Harry K. Ellwood 1108 WISEBURG. RD. WHITE HALL MD

Manda + Larry Pedders 1113 Wiseburg Rd. White Hall MD 2116
William R. Keys ~~1111~~ 1111 Wiseburg R. 21161

William + Corine Barron

1422 Wiseburg RD. White Hall, MD. 21161

Ricky Barron PO BOX 152 MD 21161

Marcella Stine White Hall, MD

Harry Blizguel White Hall, MD

Pipiet Hill White Hall, MD

Edward Long 1449 WISEBURG RD WHITE HALL MD

Propt 1410 White Hall Rd White Hall

Joye Sturges 1346 Wiseburg RD. White Hall, MD 21161

Anahony Alcaraz 1110 wiseburg Rd White Hall 21161

Adam Collins 1117 Wiseburg RD white Hall 21161

Katell Thiekemann 1119 Wiseburg Road white Hall 21161

James S. Thiekemann 1119 wiseburg Rd white Hall 21161

99-507-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

FRED PERMENTER

RAEAN PERMENTER

Scott Thielemann

1121 WISEBURG RD WHITE HALL, MD 21161

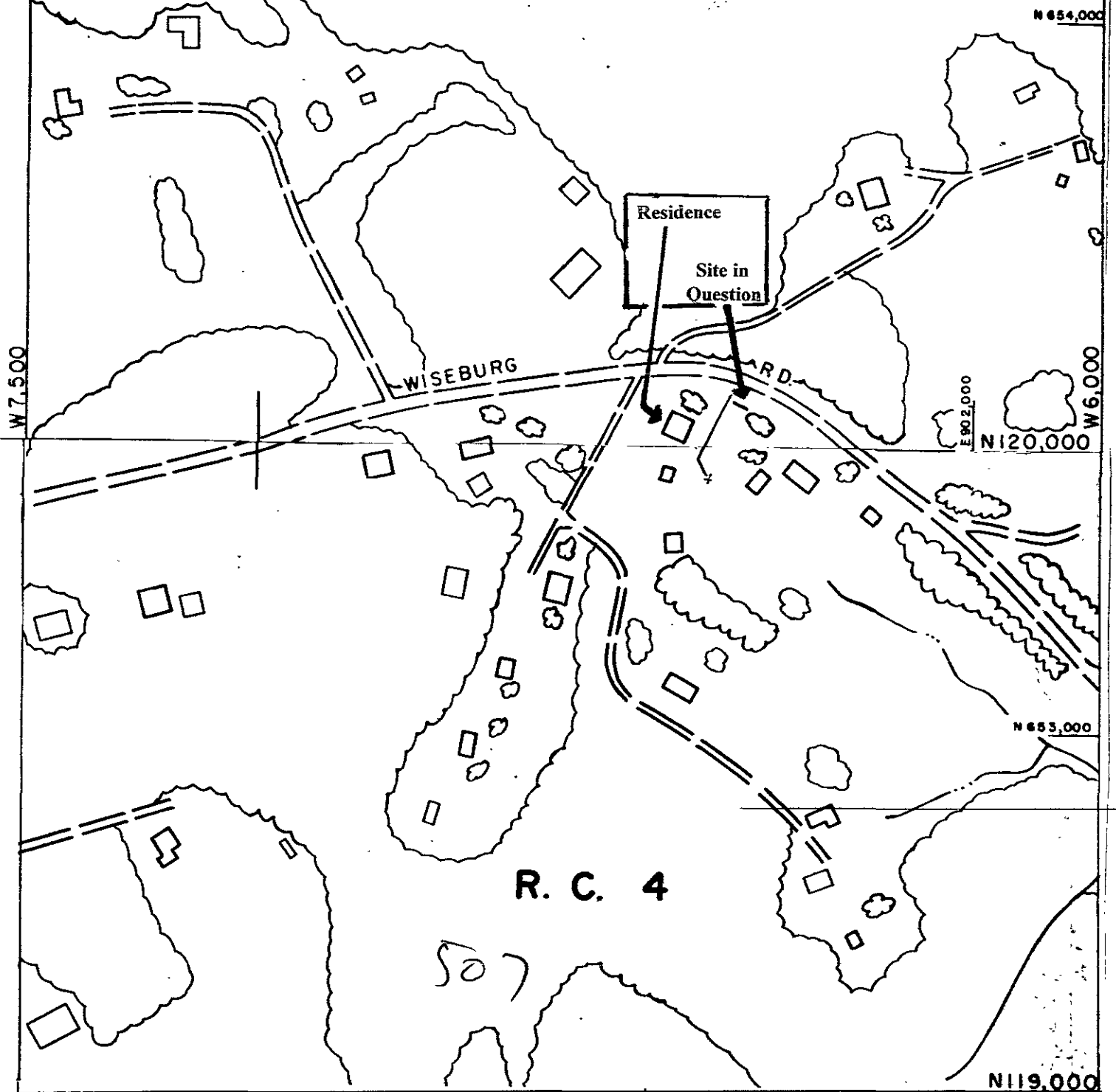
1119 Wiseburg Rd, White Hall, MD 21161



507

R. C. 4

GRAYSTONE



SCALE

1" = 200'

LOCATION

WEST OF
GRAYSTONE

SHEET

N.W. 31-B

DATE OF
PHOTOGRAPHY

JANUARY 1986

WISEBURG

N.W. 30-B

99-507-A



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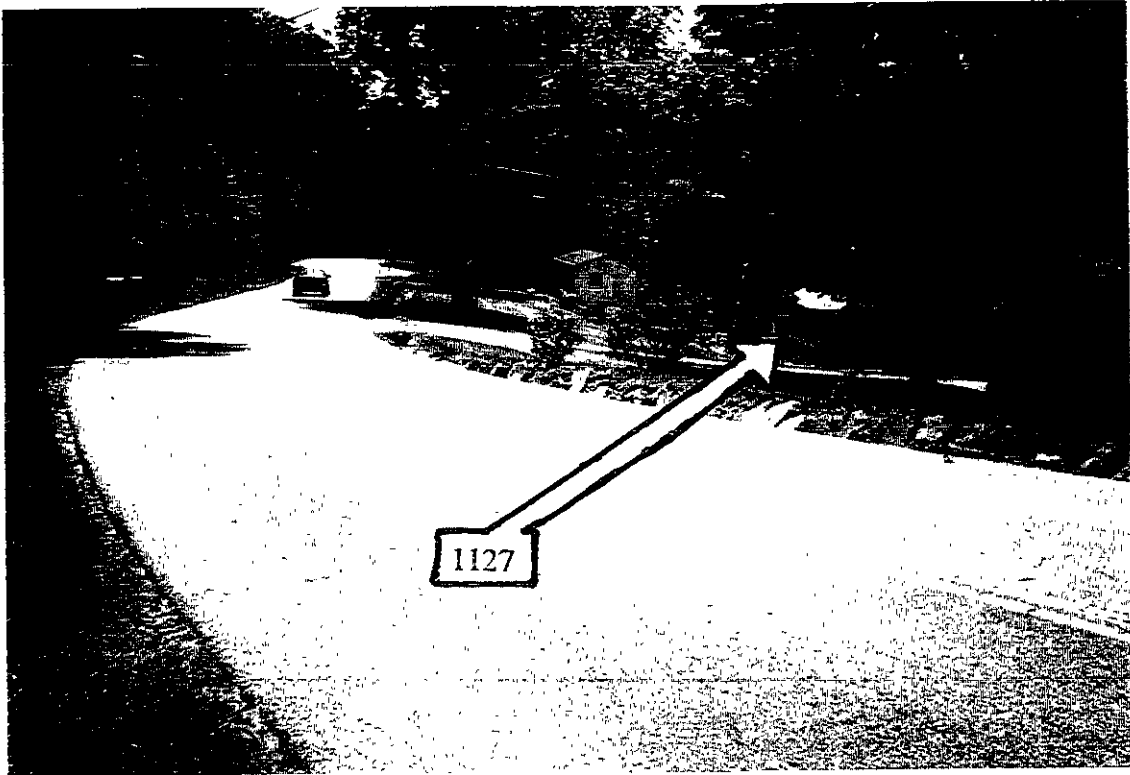
SCALE
1" = 200'
DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
WEST OF GRAYSTONE
WISEBURG

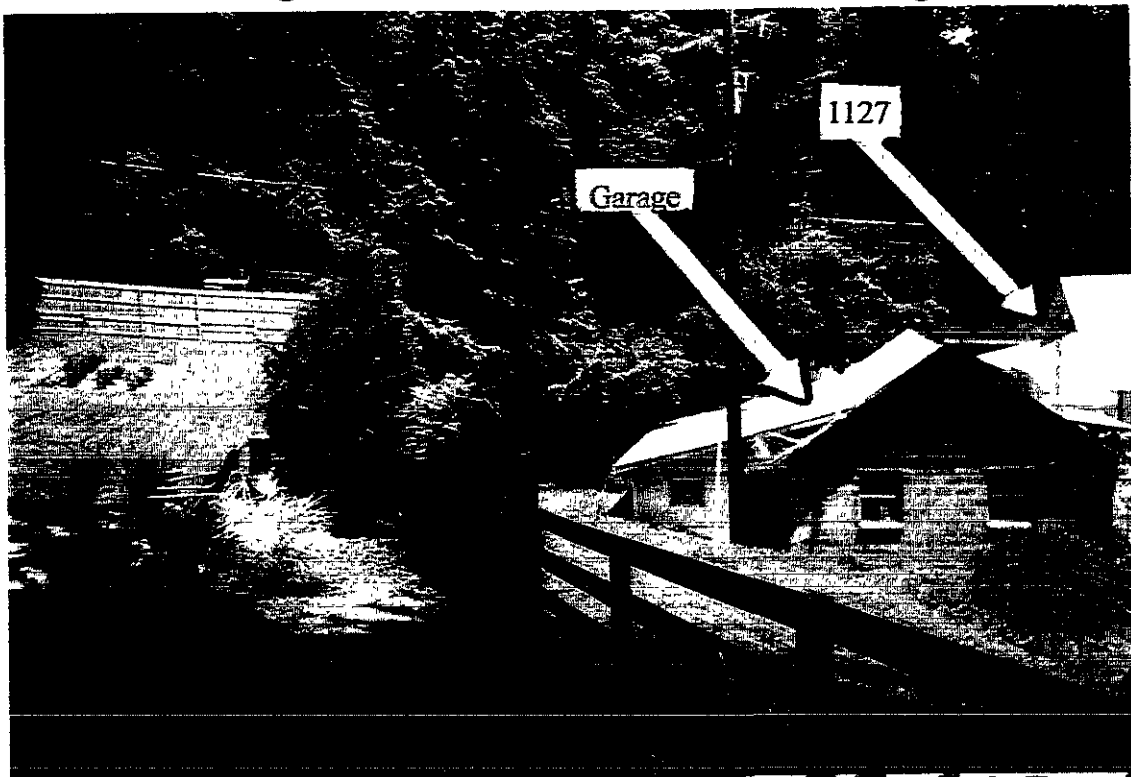
SHEET
Microfilmed
Microfilmed

ADJACENT DWELLINGS

507
Thomas Simpson, 1127 Wiseburg, TA#071903-9150
To South, Right Side along Wiseburg



From Rear of Site Property
Looking Toward Wiseburg Road
Garage and Home of 1127 Wiseburg

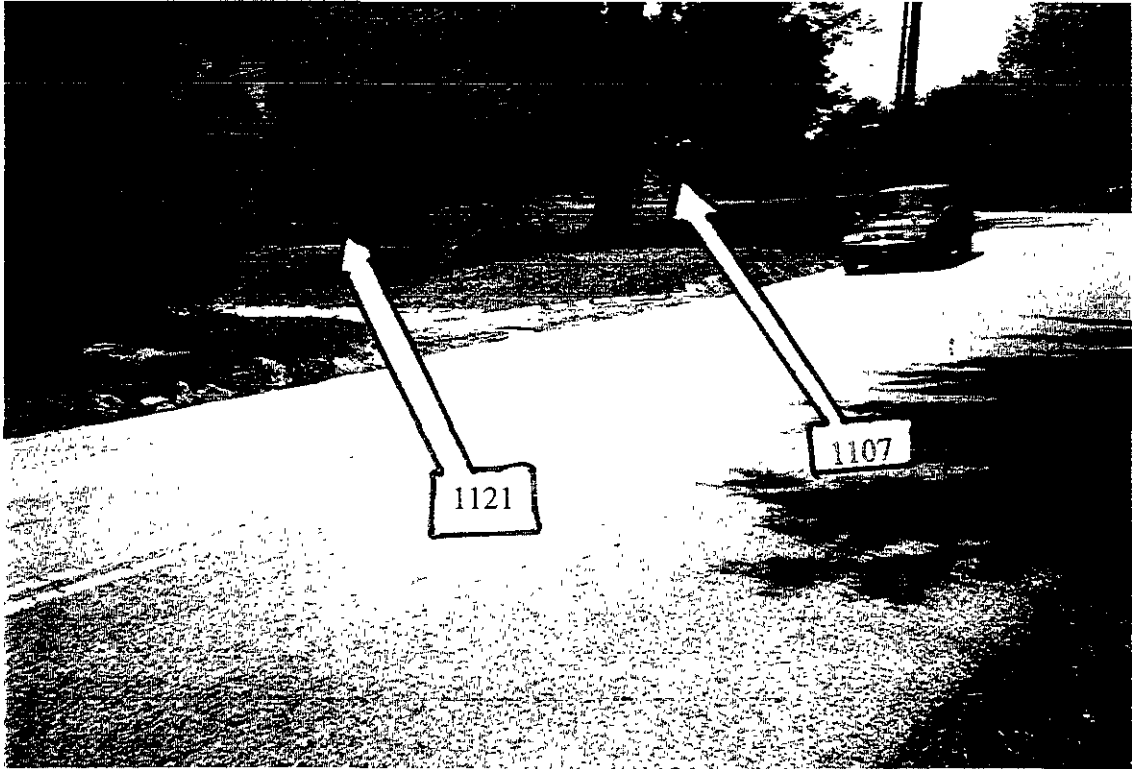


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ADJACENT DWELLINGS

Stephen Price, 1107 Wiseburg, TA#07120-20860
To North, Left Side along Wiseburg



James Thielemann, 1119 Wiseburg, TA #070304-7770
To South, Behind Property, Access Drive off Wiseburg



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PRIOR TO SOUND BARRIER INSTALLATION

Recreation Area



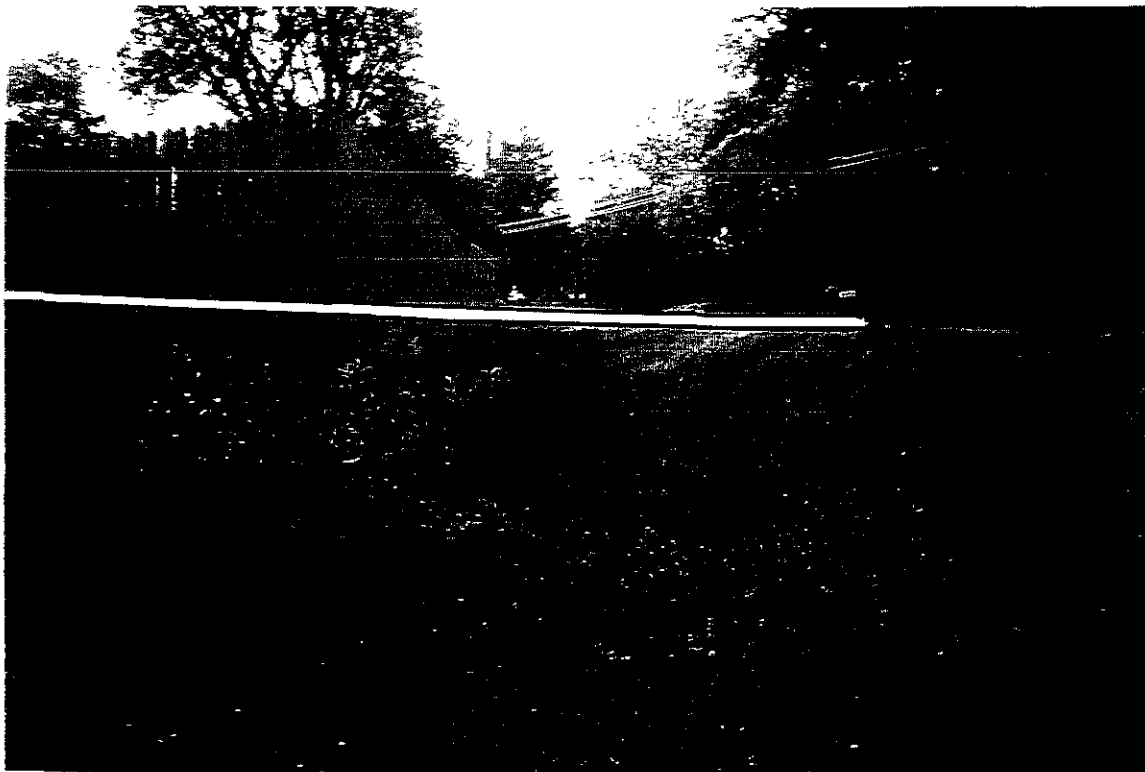
Note Downslope into Yard from Road



99-507-A

Change in Grade from Road to Base of Sound Barrier

507



Note Steep Hillside Opposite Our Home
Reflects and Amplifies Traffic Noise



99.507-A

SOUND BARRIER IN RELATION TO ROAD

507

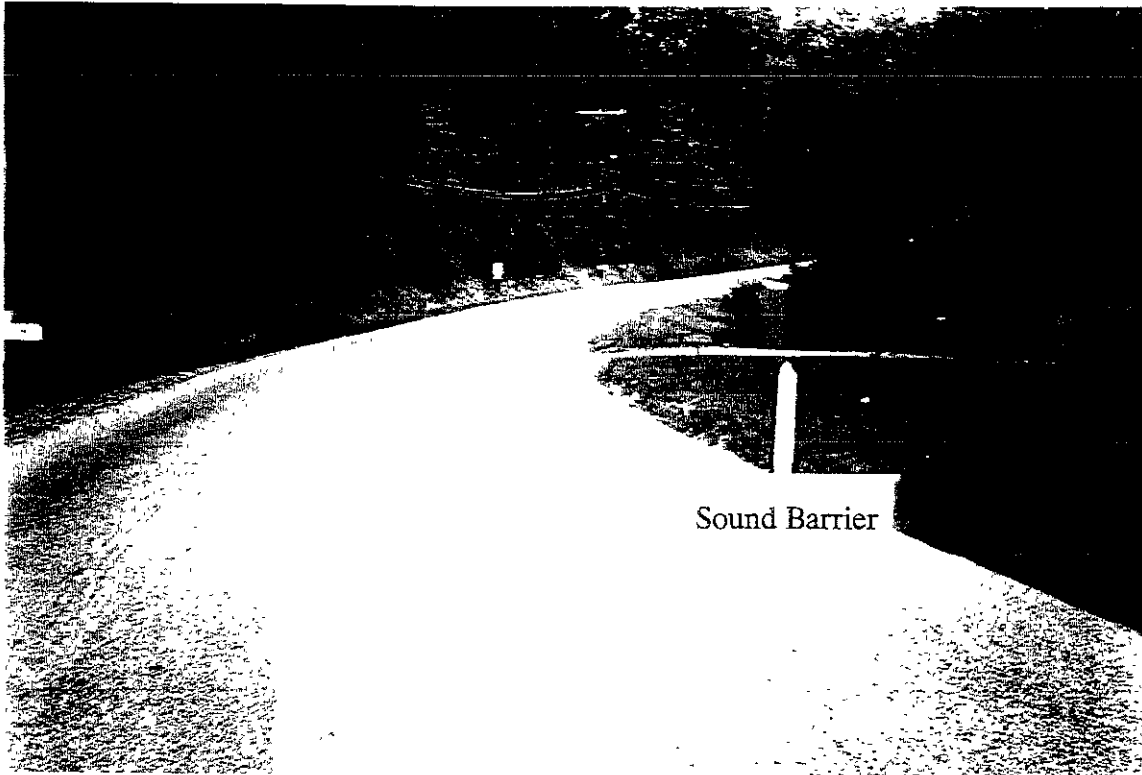


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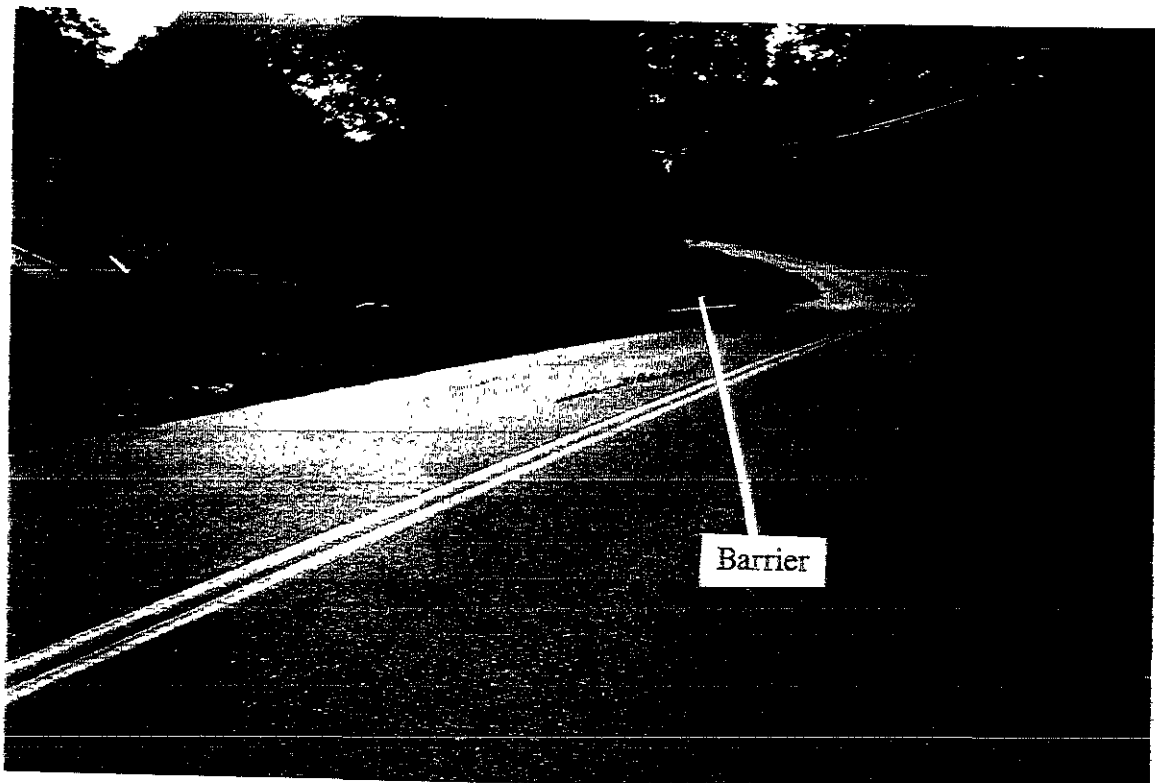
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LINE OF SIGHT FOR TRAFFIC SAFETY

Curve of Road North of House



Curve of Road — South of House

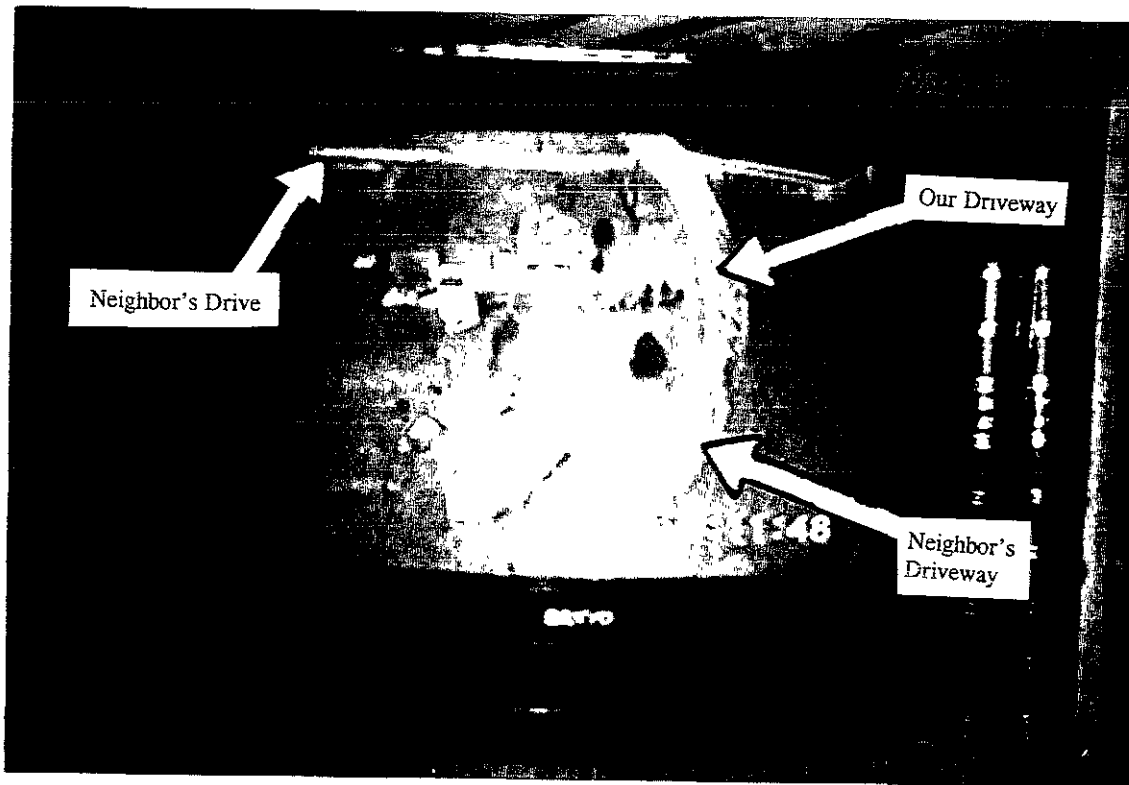


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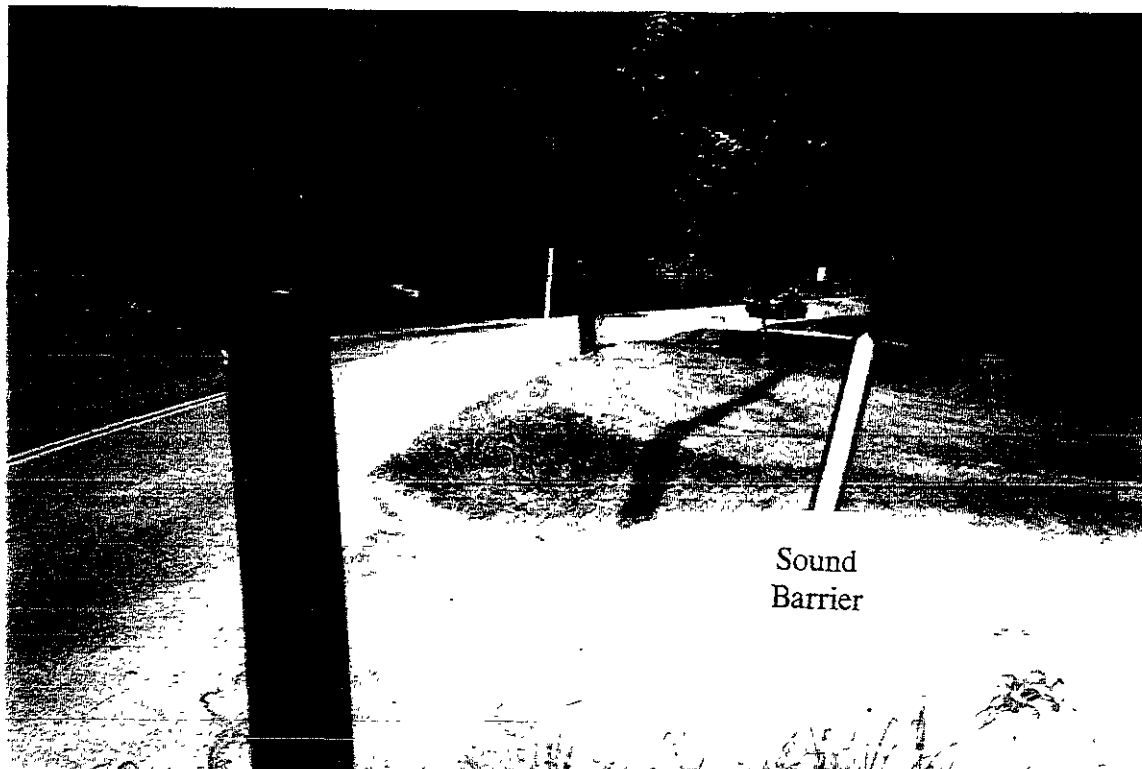
507

LINE OF SIGHT FOR TRAFFIC SAFETY

Aerial Photo — Curve of Road



North of House — Drive to Four Residences Behind Ours



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LINE OF SIGHT FOR TRAFFIC SAFETY

Approximate Position of Car to Exit Our Driveway



Position of Car to Exit Neighbor's Driveway



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LINE OF SIGHT FOR TRAFFIC SAFETY

Neighbor's Driveway



BARRIER FROM POND/RECREATIONAL AREA

Note Approximate Road Level on Barrier Line

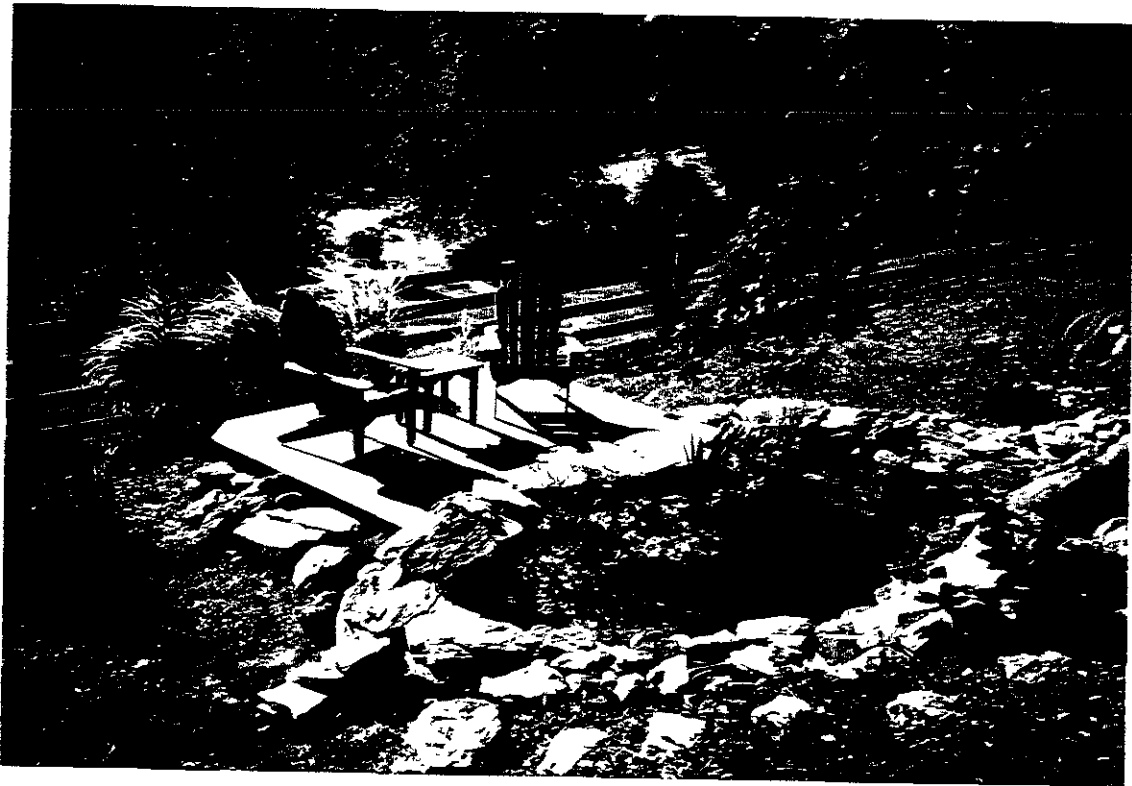


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RECREATIONAL AREA

Pond with Deck



Pond at Back of Side Yard Property

View of Road's Location Prior to Barrier Installation

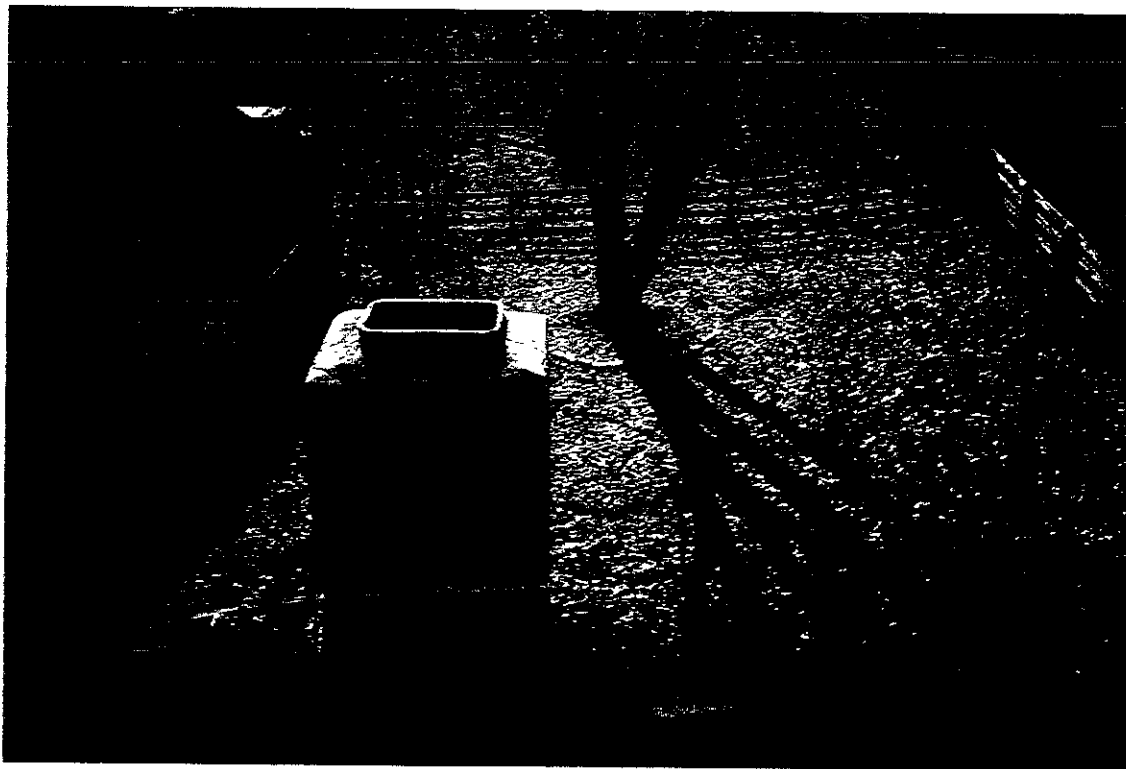


Road

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ACTUAL "BACKYARD" - SMALL AND SLOPED
NO SIDEYARD TO NORTH



APPROXIMATE SLOPE OF BACKYARD



99.507-A

INTENDED LANDSCAPE

Stain Sound Abating Acoustical Barrier Forest Green.

Clinging Vines Planted Against Barrier
will not Grow into Line of Sight.

Evergreen Yews Planted Along Sound Barrier's Base in Dip
can be Easily Maintained at a Five Foot Height that will Not
Interfere with Line of Sight, about equivalent to Road Level.

507
Within Two Years the Sound Abating Acoustical Barrier
will be virtually Invisible, Four Feet in Height in Relation
to the Road



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